

**NORTH TEXAS  
GROUNDWATER  
CONSERVATION  
DISTRICT**

**BOARD MEETING**

**MUSTANG SUD ADMINISTRATIVE OFFICES  
7985 FM 2913  
AUBREY, TEXAS**

**TUESDAY  
JULY 14, 2015  
10:00 AM**

# NOTICE OF PUBLIC MEETING

OF THE  
BOARD OF DIRECTORS of the

**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**  
at the

**Mustang SUD Administrative Offices**  
**7985 FM 2913**

**Aubrey, Texas**

**Tuesday, July 14, 2015 at 10:00 a.m.**

## **Board Meeting**

The regular Board Meeting will begin at 10:00 a.m.

Notice is hereby given that the Board of Directors of the North Texas Groundwater Conservation District ("District") may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

### **Agenda:**

1. Pledge of Allegiance and Invocation.
2. Call to order, establish quorum; declare meeting open to the public.
3. Administer Oath of Office to reappointed Board Members
4. Consider report from Nominating Committee and Election of Officers
5. Public comment
6. Consider and act upon approval of the minutes from the May 12, 2015, board meeting.
7. Consider and act upon approval of invoices and reimbursements.
8. Consider and act upon 2014 Audit
9. Receive reports from the following Committees\*:
  - a. Budget and Finance Committee
    - 1) Receive Monthly Financial Information
    - 2) Consider and act preliminary 2016 Operating Budget and Fee Schedule
  - b. Investment Committee
  - c. Rules and Bylaws Committee
  - d. Groundwater Monitoring and Database Committee
  - e. Policy and Personnel Committee
  - f. Conservation and Public Awareness Committee
  - g. Management Plan Committee
    - 1) Receive Quarterly Report
  - h. Desired Future Condition Committee

10. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).
11. Consider and act upon compliance and enforcement activities for violations of District.
12. General Manager's Report: The General Manager will update the board on operational, educational and other activities of the District.
13. Open forum / discussion of new business for future meeting agendas.
14. Adjourn public meeting.

\* Reports from District standing committees will include a briefing by each committee for the Board on the activities of the committee, if any, since the last regular Board meeting.

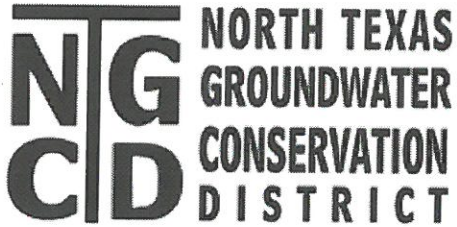
*The above agenda schedules represent an estimate of the order for the indicated items and is subject to change at any time.*

*These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call (855) 426-4433 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.*

*For questions regarding this notice, please contact Carmen Catterson at (855) 426-4433, at [ntgcd@northtexasgcd.org](mailto:ntgcd@northtexasgcd.org), or at 5100 Airport Drive, Denison, TX 75020.*

At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the North Texas Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

ATTACHMENT 3



## **AGENDA COMMUNICATION**

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**DATE:** July 8, 2015

**SUBJECT:** AGENDA ITEM NO. 3

### **CONSIDER REPORT FROM NOMINATING COMMITTEE AND ELECTION OF OFFICERS**

#### **ISSUE**

Consider report from Nominating Committee and election of officers

#### **BACKGROUND**

Section 2.4 of the Bylaws of the North Texas Groundwater Conservation District requires that each odd-numbered year at the July Board meeting the Board meet and elect three directors to serve as officers. Officers shall be elected for two year terms. Except for the President, officers may serve multiple terms. The position of President must rotate every two years between the counties in alphabetical order beginning with Collin County. This cycle, the Presidency rotates back to Collin County for the term beginning July 2015 through June 2017.

#### **CONSIDERATIONS**

The Nominating Committee comprised of Thomas Smith, Ronny Young, and Eddy Daniel has met and will provide a recommendation for officers for July 2015 through June 2017.

#### **PREPARED AND SUBMITTED BY:**

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Drew Satterwhite, P.E., General Manager

ATTACHMENT 6

**MINUTES OF THE BOARD OF DIRECTORS' PUBLIC MEETING  
NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

**TUESDAY, MAY 12, 2015**

**COLLIN COUNTY ADMINISTRATIVE BUILDING  
4<sup>TH</sup> FLOOR COMMISSIONERS COURT ROOM  
2300 BLOOMDALE RD  
MCKINNEY, TX 75071**

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Members Present: Chris Boyd, Ronny Young, Thomas Smith, Philip Sanders, Joseph Helmberger  
Evan Groeschel and Ron Sellman arrived at 9:49am

Members Absent: Eddy Daniel, Kenny Klement

Staff: Drew Satterwhite, P.E., Carolyn Bennett

Legal Counsel: None

Visitors: Neal Welch, City of Sanger, Blake Aldredge, UTRWD,  
Joseph Johnson, City of Anna Director of Public Works

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1. Oath of Office. Carolyn Bennett administered the Oath of Office to Joseph Helmberger, the new Board Member representing Collin County.

2. Pledge of Allegiance and Invocation

Board Member Boyd provided the invocation and led the Pledge of Allegiance.

3. Call to order, declare meeting open to the public, and take roll

President Smith called the public meeting to order at 9:45am. Joseph Helmberger introduced himself to the Board of Directors.

4. Public Comment

There were no public comments.

5. Approval of Minutes from the March 10, 2015 board meeting

Board Member Boyd motioned to approve the minutes of the March 10, 2015 meeting. The motion was seconded by Secretary-Treasurer Young and the vote passed unanimously with four members absent.

6. Consider and act upon approval of invoices and reimbursements.

General Manager Drew Satterwhite, P.E. reviewed the invoices with the Board Members. Due to the fact the Board has not met for a while there were some entities paid more than just once on the liabilities resolution.

Board Members Ron Sellman and Evan Groeschel arrived at 9:49am.

Secretary-Treasurer Ronny Young motioned to approve the invoices as presented in Resolution No. 2015-05-12-1 for a total cost of \$293,391.75. The motion was seconded by Board Member Boyd and passed unanimously with two members absent.

7. Receive reports from the following Committees\*:

a. Budget and Finance Committee

1) Receive Monthly Financial Information

Mr. Satterwhite reviewed the District's financial information with the Board of Directors.

b. Investment Committee

No report received.

c. Rules and Bylaws Committee

No report received.

d. Groundwater Monitoring and Database Committee

e. Policy and Personnel Committee

No report received.

f. Conservation and Public Awareness Committee

No report received.

g. Management Plan Committee

1) Receive Quarterly Report

Mr. Satterwhite reviewed the Quarterly Report with the Board. As of March 30, 2015 the District had 1,378 non-exempt wells registered. Eighteen wells were inspected in the first quarter of 2015, with 3 in Collin County, 11 in Cooke County and 4 in Denton County.

8. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).

Mr. Satterwhite reported to the Board on the current status of GMA-8 and the modeling efforts. Initially representatives of GMA8 received a proposal from Intera for runs 5-8. There was discussion concerning the proposal with other GMA-8 districts and it was ultimately decided to solicit for qualifications. The NTGCD staff then coordinated an effort to solicit, receive, and distribute proposals amongst the GMA-8 representatives.

Proposals were received from four (4) firms, and forwarded to the GMA8 Board Members prior to the March 25, 2015 GMA8 meeting. Board Members were provided with ranking criteria and asked to rank the four entities prior to attending the March 25<sup>th</sup> meeting. During the March 25<sup>th</sup> meeting, the rankings were calculated and Intera ranked the highest of the four firms. Intera was voted on to perform the runs by a unanimous vote amongst GMA-8 representatives.



The four firms were instructed to bring a proposal to the March 25<sup>th</sup> meeting and be prepared to present it for the services being requested in developing DFCs. Intera presented their proposal.

The GMA8 Board discussed Intera's proposal as presented, and voted unanimously to approve Runs 5 and 6. Several of the Districts expressed a desire to have some of the other runs developed at a later date. Run 5 updates the 2010 pumping information. Run 6 reflects pumping from 70%, 130%, 160% and 190% of the 2010 pumping. Run 7 shows impact of increased pumping on a county by county basis, and Run 8 demonstrates turning off all pumping.

All eleven districts on the GMA8 Board have responded regarding their contribution to the contract with Intera for Run 5 and Run 6. North Texas GCD and Red River GCD will contribute \$7,500.73 each. Saratoga has responded they cannot participate in the runs.

General Manager Satterwhite, on behalf of the DFC committee, asked for two action items:

(1) Increase the modeling budget line item from \$20,000 to \$30,000. This has been discussed with the DFC committee and is presented to allow latitude to spend more on the modeling runs if necessary. The DFC committee believes that this will be more than enough money if things go as planned, but this will ensure that the process is able to move quickly as we near the May 2016 deadline. Secretary-Treasurer Young made a motion to increase the line item in the current budget for modeling to \$30,000 for the DFC modeling process. The motion was seconded by Board Member Groeschel, and passed unanimously with two members absent.

(2) Bill Mullican has requested all Districts to provide him with the non-relevant aquifer within their District. Secretary-Treasurer Young made a motion to only set DFCs for the Trinity and Woodbine Aquifers for the purpose of joint groundwater planning. The motion was seconded by Ron Sellman, and passed unanimously with two members absent.

9. Consider and act upon compliance and enforcement activities for violations of District

Pursuant to the Texas Open Meetings Act, Chapter 551, Government Code, President Thomas Smith convened the Board into Executive Session to consider and act upon compliance and enforcement activities for violations of the District at 10:11am.

The Board reconvened into Regular Session at 10:36am. President Smith stated no action was taken during executive session.

General Manager Satterwhite proposed moving on to Item 10 on the agenda and come back to Item 9 to discuss later.

10. Consider and act upon entering into a contract with LBG Guyton for technical assistance for development of DFCs

Mr. Satterwhite reported each groundwater district in the State of Texas is expected to develop and adopt their DFCs in May of 2016 to comply with the mandates from the State of Texas. The North Texas Groundwater Conservation District ("District") is working in conjunction with other groundwater conservation districts in Groundwater Management Area 8 ("GMA8"). There are eleven groundwater districts in the area represented by GMA8. The District will have many decisions to make regarding model runs, rule development, and general GMA8 topics over the course of the next few years.

LBG Guyton Associates has provided the District with guidance for the DFC process to date. District staff feels that this guidance has been very important, as the District needs a hydrogeology firm that has the qualifications and staff necessary to consider the matters necessary to determine the best DFC for the District.

LBG Guyton represents other Districts in GMA8, which allowed the District to realize an economy of scale during 2014. LBG Guyton has a wealth of knowledge in the North Central Texas Area. Mr.

Satterwhite stated that District staff feels LBG Guyton Associates will continue to provide a valuable service to the District for the DFC development process, and recommended the Board of Directors consider accepting the LBG Guyton Associates' proposal for providing these services.

Motion was made by Vice President Sanders to authorize the Board President to sign an engagement letter with LBG Guyton Associates for their services, in the amount of \$18,280.00. The motion was seconded by Board Member Groeschel and passed unanimously with two members absent.

11. Consider and act upon entering into a contract with Intera, on behalf of GMA-8, for the GAM runs 5 and 6

General Manager Satterwhite referred to the Statements of Qualifications previously discussed in Agenda Item 8, which were accepted from four (4) firms on February 18, 2015 to perform the next round of modeling on behalf of GMA8. These Qualifications were forwarded to all GMA8 Districts with a request that the firms be ranked prior to the March 25, 2015 GMA8 meeting. During the March 25, 2015 GMA-8 meeting, the District representatives selected Intera as the firm to provide future GAM runs. Subsequent to the selection, Intera provided a proposal for the costs associated with runs 5, 6, 7 and 8. GMA-8 representatives voted to authorize Intera to perform runs 5 and 6, for a total contact of \$55,862.00. District staff therefore recommends that the Board authorize the General Manager to execute a contract with Intera on behalf of GMA8 for GAM runs 5 and 6, for the total cost of \$55,862.00.

Intera has been asked to provide the information in reproducible manner. The Board discussed the entities financial participation, and requested that on future contracts with GMA-8 consultants, that the District staff to get interlocal agreements with all entities participating in the cost of the GAM runs. Motion was made by Vice President Sanders for North Texas Groundwater Conservation District to enter into a contract with Intera on behalf of GMA8, with the General Manager authorized to enter into the agreement on the District's behalf, subject to review and approval of the contract by legal counsel, and the President of the Board of Directors being made aware of the exact contract and final conditions prior to the contract being executed. The motion was seconded by Board Member Sellman and passed unanimously with two members absent.

12. Consideration and possible action regarding the District's legal counsel.

Last month the partners of the District's law firm, Sledge Fancher PLLC, amicably decided to part ways. Since the split, Sledge Fancher PLLC has changed the business name to Sledge Law and Public Strategies PLCC. Kristen Fancher has now moved to Smith, Robertson, Elliot and Douglas, LLP. District staff has been in communication with both of the partners, Brian Sledge and Kristen Fancher, since the split, to discuss options for moving forward.

Mr. Sledge and Ms. Fancher have agreed to allow the district to operate through Sledge Law and Public Strategies. This allows the District to use Sledge Law and Public Strategies' attorneys as well as Ms. Fancher.

The Board discussed several options available and ultimately decided that the District should solicit RFPs for legal services.

President Smith appointed Ronny Young (Chair), himself and Eddy Daniels as the Committee in charge of pursuing legal services for the District. RFQs for legal counsel need to be directed to Ronny Young, Chair of the Committee. The current agreement with Mr. Sledge's firm will be utilized until the process is completed.

At this time the Board moved out of the normal order of business to discuss Item 9.

9. Consider and act upon compliance and enforcement activities for violations of District.

Vice President Sanders made a motion to impose civil penalties under our rules and chapter 36 of

the water code against Strittmatter Irrigation for failure to file and have approved well registrations prior to drilling wells in the amount of \$1,000.00 for two separate major violations, given his documented history of noncompliance. The \$1,000.00 penalty is due to the District by 5:00 p.m. on Monday, May 18, 2015. Failure to pay the penalty to the District by the May 18, 2015 deadline will result in an escalation of the penalty to \$5,000.00 effective on Tuesday, May 19, 2015. Failure to pay the fine after May 19, 2015 will result in additional escalation to the maximum penalty by law of \$10,000.00 per day until the penalty is paid and Strittmatter is in compliance. This enforcement against Strittmatter will also result in a letter sent to TDLR to inform them of his repeated noncompliance with district rules. Strittmatter will be sent a letter today informing him of this penalty and enforcement, which will also provide notice that any future violations will result in assessment of the maximum penalties under the law of \$10,000 per day per violation and civil suit for injunction and damages.

A civil penalty of \$150 is to be assessed against Earthtech for failure to obtain approved registrations for two separate exempt wells. This is the first documented set of violations for Earthtech. Earthtech will be sent a letter notifying them of this penalty and that they have 30 days to come into compliance by paying the penalty in order to avoid the next step in the enforcement process.

The Board directed staff to begin carbon copying the TDLR on all future notifications. President Smith also requested that Board Member Sellman work with staff and legal counsel to begin posting violations on the District website and local newspapers.

The motion was seconded by Board Member Boyd, and passed unanimously with two members absent.

At this time, the Board of Directors moved back to the normal order of business.

13. General Manager' s Report: The General Manager will update the board on operational, educational and other activities of the District.

Mr. Satterwhite reported 1,391 wells are currently registered in District. He informed the Board House Bill 40 will allow the state sole jurisdiction on oil and gas activity. Brian Sledge has confirmed the allowed intent of bill has nothing to do with groundwater districts.

14. Open Forum / discussion of new business for future meeting agendas

President Smith stated Board Member Boyd has offered the use of the facilities of the Mustang SUD for the next three board meetings. President Smith appointed Ronny Young (Chair), himself, and Eddy Daniel as the Nominating Committee for the next President for the Board of Directors of the District. President Smith asked if any of the Members would be opposed to setting the time for subsequent meetings to 10:00am instead of 9:30am. It was the consensus of the Board that the time be moved to 10:00am for future board meetings, and that the next three meetings be held at the Mustang SUD Administrative Offices, 7985 FM2931, Aubrey, Texas.

15. Adjourn public meeting

Motion was made by Board Member Joe Helmberger to dismiss the group at 11:15am.

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Recording Secretary

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Secretary-Treasurer

ATTACHMENT 8



## **AGENDA COMMUNICATION**

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**DATE:** July 6, 2015

**SUBJECT:** AGENDA ITEM NO. 8

### **CONSIDER AND ACT UPON 2014 AUDIT**

#### **ISSUE**

2014 Audit

#### **BACKGROUND**

Earlier this year, the Board engaged the services of Hankins Eastup Deaton Tonn & Seay to provide the independent audit of the District's accounting records for the 2014 fiscal year. The auditors have advised that they expect to be present at the July meeting to present the audit.

#### **CONSIDERATIONS**

If there are questions or concerns about the audit, the Board will have the opportunity to further discuss them with the auditor.

#### **STAFF RECOMMENDATIONS**

The District Staff met with Carl Deaton, Partner, to review the audit and have no concerns about the information contained in the audit.

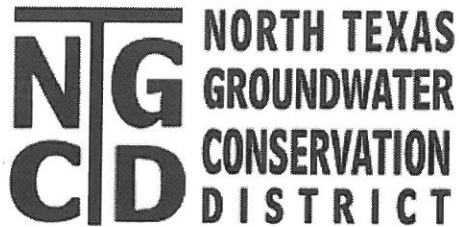
#### **ATTACHMENTS**

2014 Audit to be provided at meeting.

#### **PREPARED AND RECOMMENDED BY:**

Drew Satterwhite, P.E., General Manager

ATTACHMENT 9a.(2)



## **AGENDA COMMUNICATION**

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**DATE:** July 8, 2015

**SUBJECT:** AGENDA ITEM NO. 9a.(2)

### **CONSIDER AND ACT UPON 2016 OPERATING BUDGET AND ADOPT RATE SCHEDULE**

#### **ISSUE**

2016 operating budget and rate schedule

#### **BACKGROUND**

Over the past 5 years, the Board of Directors of the North Texas Groundwater Conservation District (District) has established the practice of trying to adopt a budget and rate schedule as early as possible. The District's fiscal year is based on a calendar year from January 1<sup>st</sup> through December 31<sup>st</sup>, while many of the groundwater producers who pay production fees operate on fiscal years that begin October 1<sup>st</sup> through September 30<sup>th</sup>. For this reason, the Board has attempted to establish production fees as early as possible in the budget planning process.

A draft 2016 budget was presented to the Budget Committee in late June. The attached draft budget addresses all comments received by the Budget Committee. The committee discussed presenting a draft budget to the board in July, but not adopting the budget until a later meeting. This would enable the committee to consider the 2015 2<sup>nd</sup> quarter production fees when forecasting revenues for the 2016 budget.

The committee is proposing to adopt a fee schedule for 2016 that is identical to the 2015 fee schedule. The committee is proposing to adopt the fee schedule at the July meeting in order to provide this information to non-exempt producers in the district.

#### **OPTIONS/ALTERNATIVES**

The Board has the option to review this information and not take action at the July meeting. However, this would provide a short period of time for all water suppliers that operate on a fiscal year beginning October 1, 2014.

Based on discussions with the Budget Committee, the committee was comfortable with adopting the proposed 2016 fee schedule and waiting until a later meeting to adopt the 2016 budget. This would enable the committee to consider the 2015 2<sup>nd</sup> quarter production fees when forecasting revenues for the 2016 budget. The staff is available to meet with the Budget Committee again to discuss revenue projections for the 2016 budget.

#### **CONSIDERATIONS**

The staff is prepared to move forward with the current proposed fee schedule including production fees of \$0.10 per 1,000 gallons for non-exempt usage and \$1 per acre-foot for agricultural usage, which has been in place for the last four years. If the board decides to adopt a fee schedule, this will provide the area water providers with the information in time to plan for their upcoming budgets.

The Board should feel an additional level of confidence in the District's financial position due to the fund balance of \$1,198,946 as of December 31, 2014. This fund balance is sufficient to provide a source of funding should production fees drastically decrease for any reason.

**STAFF RECOMMENDATIONS**

After discussing this matter with the Budget Committee, the staff believes the proposed production fee schedule can be adopted by the board with confidence that the financial projections in the proposed budget can be achieved.

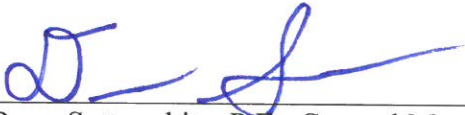
**ATTACHMENTS**

Draft 2016 Operating Budget

Draft Fee Schedule

Resolution

**PREPARED AND SUBMITTED BY:**



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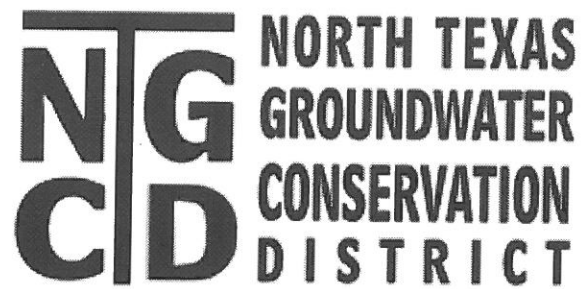
Drew Satterwhite, P.E., General Manager



**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT  
BUDGET 2016**

	Actual 2012	Actual 2013	Actual 2014	Adopt 2015	Actual @ 4/30/2015	EST FOR 12/31/2015	Proposed 2016
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
46003 GMA8	7,497	625	35,407	64,575			36,364
*46001 PRODUCTION FEES	816,378	928,254	698,005	615,000	119,687.60	478,750	591,500
46005 Drillers Fees			2,400				
46006 WELL REG FEES		23,736	15,500	5,000	4,800.00	9,600	5,000
46016 Penalty & Fines			4,150		2,727.62	2,728	
46100 Interest			1,953		598.03	1,794	1,000
46015 LATE FEES			3,203				
Total Income	823,875	952,614	760,618	684,575	127,813	492,872	633,864
<b>Expense</b>							
77010 ADMINISTRATIVE	98,579	113,385	114,405	120,000	34,839.15	104,517	120,000
77030 ADS-LEGAL	626	420	468	1,000		1,000	1,000
77025 ACCOUNTING	10,624	21,720	18,918	20,000	4,990.00	14,970	20,000
77027 AUDITING	4,975		9,975	5,200		5,200	5,000
77090 BANKING FEES	270						
77100 CONSULTING UPDATE				0			
77150 CONSULTING-HYDROGEO	134,298	214,085	148,748	30,000	1,257.98	30,000	34,400 *
77175 CONSULTING-MODEL RUNS			18,676	20,000		20,000	5,000
77650 CONTRACT FIELD PERSON	72,487	43,601	57,431	70,000	29,024.60	87,074	95,000
77325 DIRECT COSTS-REIMB	3,322	3,910	3,648	4,000	1,077.26	3,232	4,000
77450 DUES & SUBSCRIPTION	458	1,250	1,583	1,000	332.75	998	1,600
77480 EQUIPMENT	4,040	1,082	9,388	2,500		2,500	2,500
77500 FEES-GMA8	3,615	2,429	44,900	73,800	2,409.69	7,229	40,000
77550 FUEL/MAINTENANCE	1,548	1,610	2,138	3,000	649.44	1,948	3,000
77800 Inject Well Monitoring							700
77810 INSURANCE & BONDING	4,587	4,909	4,016	5,000	1,094.96	5,000	5,000
77910 LEGAL	46,406	20,576	63,813	50,000	6,052.99	24,212	50,000
77980 LEGAL-LEGISLATION		9,979		10,000	9,193.00	10,000	
77975 LEGAL-INJECTION					1,233.90	3,702	7,500
78000 LOAN REIMB							225,000
78010 MEETINGS & CONFERENCES	878	45,000	330,000	225,000	114.70	344	2,000
78310 RENT		1,295	2,183	2,000	800.00	2,400	2,400
78600 SOFTWARE MAINT	2,885	9,373	8,313	7,500	3,420.00	7,500	7,500
78610 TELEPHONE	1,905	2,173	1,766	2,000	573.49	1,720	2,000
7875 WATER QUALITY ISSUES			32,058				
78780 WELL MONITORING/TESTING							
Total Expense	391,503	499,197	874,824	654,400	97,463	559,744	633,600
Net to Fund Balance	432,372	453,418	(114,206)	30,175			

- \* 1. LBG General DFC Guidance - similar to last year @ \$17,400
- 2. Visioning workshop - \$4K
- 3. Develop spacing requirements - \$5K
- 4. Permitting workshops - \$8K



## 2016 Fee Schedule

Well Registration Fee****	\$100
Well Driller Log Deposit Fee***	\$100 (refundable if log submitted within 60 days)
Agricultural Water Use Fee**	\$1 per acre-foot
Non-Exempt Water use Fee**	\$0.10 per 1,000 gallons
Failure to Pay Water Use Fee within 30-days*	15%
Failure to Pay Water Use Fee within 60-days*	Major Violation – See Appendix A of the Temporary Rules for schedule of Violations

\* Adopted on August 12, 2014 in Temporary Rules

\*\* Adopted on August 12, 2014 by Resolution No. 2014-08-12-2

\*\*\* Adopted on January 10, 2012 by Resolution No. 2012-01-10-3

\*\*\*\* Adopted on February 12, 2013 by Resolution No. 2013-02-12-2

**RESOLUTION NO. 2015-07-14-2**

**RESOLUTION TO ESTABLISH 2016 WATER USE FEE RATES  
FOR THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

THE STATE OF TEXAS

§  
§  
§

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

WHEREAS, the North Texas Groundwater Conservation District (the "District") is a political subdivision of the State of Texas organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution as a groundwater conservation district, acting pursuant to and in conformity with Chapter 36, Texas Water Code and Act of May 19, 2009, 81st Leg., R.S., ch. 248, 2009 Tex. Gen. Laws 686 codified at Chapter 8856 of the Texas Special District Local Laws Code (the "District Act");

WHEREAS, the District is a governmental agency and a body politic and corporate that is statutorily charged under Chapter 36 of the Texas Water Code and the District Act with protecting the quantity and the quality of groundwater within Cooke, Colin, and Denton Counties;

WHEREAS, the District by rule, resolution, or order may establish, amend, pledge, encumber, and spend the proceeds from, and assess to any person production fees, based on the amount of groundwater authorized by permit to be withdrawn from a well or on the amount of water actually withdrawn, to enable the District to fulfill its purposes and regulatory functions as provided by the District Act;

WHEREAS, the District may assess a production fee for groundwater produced from a well or class of wells exempt from permitting under Section 36.117 of the Texas Water Code, except for a well exempt from permitting under Section 36.117(b)(1), which must be based on the amount of groundwater actually withdrawn from the well and may not exceed the amount established by the District for uses recognized as non-exempt pursuant to Chapter 36 of the Texas Water Code, the District Act, and rules promulgated by the District pursuant to the authority delegated therefrom;

WHEREAS, despite having authority to assess a production fee not to exceed 30 cents per each one thousand gallons of groundwater used annually for nonagricultural purposes, the Board determines that the production fee of ten (10) cents per each one thousand gallons of groundwater used annually for nonagricultural purposes represents an appropriate, fiscally conservative fee that adequately addresses anticipated budgeting and revenue considerations for the District, which is the same as that set by the Board for the previous year;

WHEREAS, in accordance with the District Act, the Board determines it necessary and appropriate to keep the production fee of \$1.00 per acre-foot used annually for agricultural purposes, which is the same as that set by the Board for the previous year;

WHEREAS, the Board recognizes that the assessment of such fees serves a legitimate regulatory purpose;

WHEREAS, the Board finds that the notice and hearing requirements for the meeting of the Board, held this day, to take up and consider adoption of these water use have been, and are, satisfied; and

WHEREAS, the Board finds that the proposed resolution is merited and necessary to support the District's efforts in managing the groundwater resources within the boundaries of the District in a manner consistent with the requirements of Chapter 36, Water Code, and the District Act, and that it is supportable under the laws of the State of Texas.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:**

- (1) Each of the above recitals are true and correct.
- (2) The Board of Directors of the North Texas Groundwater Conservation District hereby sets a water use fee rate for groundwater production for calendar year 2016 of ten cents per each one thousand gallons (\$.010 / 1,000 gallons) of groundwater produced annually for nonagricultural purposes, which includes all nonexempt commercial, municipal, industrial, manufacturing, public water supply, oil and gas, and other nonagricultural users within the District that are not exempt from the water use fee payment requirements set forth in the temporary rules adopted by the District. Such rate will be effective and assessed to groundwater production that occurs during 2016 (January 1, 2016 through December 31, 2016).
- (3) The Board of Directors of the North Texas Groundwater Conservation District hereby sets a water use fee rate for groundwater production for calendar year 2016 of one dollar per acre-foot (\$1.00 / acre-foot) of groundwater used annually for agricultural purposes. Such rate will be effective during 2016 (January 1, 2016 through December 31, 2016).
- (4) The Board of Directors, its officers, and the District staff are further authorized to take any and all actions necessary to implement this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 14th day of July, 2015.

**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

By: \_\_\_\_\_  
Board President

ATTEST:

\_\_\_\_\_  
Board Secretary-Treasurer

ATTACHMENT 9 G-1

# NTG NORTH TEXAS GROUNDWATER CID CONSERVATION DISTRICT

COLLIN COUNTY - COOKE COUNTY - DENTON COUNTY

## General Manager's Quarterly Report June 2015 North Texas GCD Management Plan

This quarterly briefing is being provided pursuant to the adopted Management Plan for the quarter ending June 2015.

**Well Registration Program:**

Current number of wells registered in the District: 1,423

Aquifers in which the wells have been completed: Trinity and Woodbine

**Well Inspection/Audit Program:**

### 2015 Well Inspections

Month	Collin	Denton	Cooke	Total
January	0	0	0	0
February	0	0	0	0
March	3	4	11	18
April	1	2	0	3
May	0	1	0	1
June	1	5	0	6
July	0	0	0	0
August	0	0	0	0
September	0	0	0	0
October	0	0	0	0
November	0	0	0	0
December	0	0	0	0
<b>Total</b>	<b>5</b>	<b>12</b>	<b>11</b>	<b>28</b>

ATTACHMENT 12

## North Texas Groundwater Conservation District

### Well Registration Summary As of May 31, 2015

County	Exempt Wells	Non-Exempt Wells	Total Registered Wells
Collin County	99	93	192
Cooke County	259	117	376
Denton County	468	368	836
<b>Total</b>	<b>826</b>	<b>578</b>	<b>1404</b>

### Monthly Summary May 2015

County	New Exempt Well Registrations	New Non-Exempt Well Registrations	Existing Exempt Well Registrations	Existing Non-Exempt Well Registrations	Exempt Wells Completed	Non-Exempt Wells Completed	Wells Plugged
Collin County	2	0	0	0	1	1	0
Cooke County	2	0	0	0	2	0	0
Denton County	8	1	0	0	5	1	0
<b>Total</b>	<b>12</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>0</b>



## North Texas Groundwater Conservation District

### Well Registration Summary As of June 30, 2015

County	Exempt Wells	Non-Exempt Wells	Total Registered Wells
Collin County	100	94	194
Cooke County	262	117	379
Denton County	479	371	850
<b>Total</b>	<b>841</b>	<b>582</b>	<b>1423</b>

### Monthly Summary June 2015

County	New Exempt Well Registrations	New Non-Exempt Well Registrations	Existing Exempt Well Registrations	Existing Non-Exempt Well Registrations	Exempt Wells Completed	Non-Exempt Wells Completed	Wells Plugged
Collin County	1	1	0	0	0	0	0
Cooke County	3	0	0	0	3	0	0
Denton County	11	2	0	1	5	1	0
<b>Total</b>	<b>15</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>0</b>

# Red River Groundwater Conservation District

## Well Registration Summary As of May 29, 2015

Well Type	Total Registered Fannin County	Total Registered Grayson County	April 2015	New Registrations
Domestic	67	116	171	12
Agriculture	11	21	32	0
Oil/Gas	0	18	18	0
Surface Impoundments	4	10	10	4
Commercial	4	2	6	0
Golf Course	0	15	14	1
Livestock	9	13	21	1
Irrigation	0	4	4	0
Public Water	54	208	262	0
<b>Total</b>	<b>149</b>	<b>407</b>	<b>538</b>	<b>18</b>

## Red River Groundwater Conservation District

### Well Registration Summary

As of July 2, 2015

Well Type	Total Registered Fannin County	Total Registered Grayson County	May 2015	New Registrations
Domestic	68	120	183	5
Agriculture	11	23	32	2
Oil/Gas	0	19	18	1
Surface Impoundments	4	10	14	0
Commercial	4	2	6	0
Golf Course	0	15	15	0
Livestock	10	13	22	1
Irrigation	0	4	4	0
Public Water	54	208	262	0
<b>Total</b>	<b>151</b>	<b>414</b>	<b>556</b>	<b>9</b>

ADJOURN